



Coos County Land Use Permit Application

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS STREET OR MAIL TO:
COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER:

Date Received: 1/19/21 Receipt #: 220978 Received by: MB

This application shall be filled out electronically. If you need assistance please contact staff.
If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Scott Kusler

Mailing address: 155 SE Nueva Drive

Phone: 541-430-1149 or 541-863-2935

Email: scottkusler@gmail.com or dedek@rfpco.com

Township: 25S Range: 13W Section: 9 ¼ Section: D 1/16 Section: C Tax lots: 00500

Select Select Select Select Select

Tax Account Number(s): 338500 Zone: Select Zone Urban Residential-1 (UR-1)

Tax Account Number(s) _____ Please Select

B. Applicant(s) Sunset Beach House, LLC

Mailing address: 155 SE Nueva Drive

Phone: 541-430-1149

541-863-2935

C. Consultant or Agent: _____

Mailing Address _____

Phone #: _____

Email: _____

Type of Application Requested

- Comp Plan Amendment
- Text Amendment
- Map - Rezone

- Administrative Conditional Use Review - ACU
- Hearings Body Conditional Use Review - HBCU
- Variance - V

- Land Division - P, SUB or PUD
- Family/Medical Hardship Dwelling
- Home Occupation/Cottage Industry

Special Districts and Services

Water Service Type: Coos Bay - North Bend Water Board

Sewage Disposal Type: Charleston Sanitation

School District: Coos Bay

Fire District: Charleston RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or contulant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director’s decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county’s behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.

Scott Kusler

Digitally signed by Scott Kusler
Date: 2021.01.12 15:09:09 -08'00'

Deloris Kusler

Digitally signed by Deloris Kusler
Date: 2021.01.12 15:10:12 -08'00'

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 64776 Wygant

Type of Access: County Road Name of Access: _____

Is this property in the Urban Growth Boundary? Select

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or his designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. I understand that I shall contact the Road Department to let them know when the improvements are ready to be inspected or Bonded. Contact by phone at 541-396-7600

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR-20-



COOS COUNTY PLANNING DEPARTMENT
 225 N. Adams, Coquille, Oregon 97423
 Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 (541) 396-7770/ TDD (800) 735-2900
 FAX: (541) 396-1022

ZCL-18-200
DATE: 8/2/18
 Valid for two years from this date

COOS COUNTY ZONING COMPLIANCE LETTER

APPLICANT				Scott Kusler
APPLICANT ADDRESS				155 Nueva Dr
CITY/STATE/ZIP				Myrtle Creek, OR 97457
PHONE NUMBER OF APPLICANT				541-430-1149
ACCOUNT #'S				338500
TOWNSHIP	RANGE	SECTION	TAX LOT	25S1319DC-00500
PROPERTY OWNER(S)				KUSLER, SCOTT L 155 NUEVA DR MYRTLE CREEK, OR 97457-9536
SITUS ADDRESS				64776 WYGANT RD COOS BAY, OR 97420
ACREAGE				0.18 Acres
PROPERTY ZONING				COOS BAY ESTUARY MNGMT PLAN (CBEMP) URBAN DEVELOPMENT (55-UD) URBAN RESIDENTIAL-1 (UR-1)
SPECIAL CONSIDERATIONS				AIRPORT - NORTH BEND - CONICAL SURFACE (NBCS) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI) NATURAL HAZARD - TSUNAMI (NHTHO)
EXISTING DEVELOPMENT /IMPROVEMENTS				<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
RESIDENTIAL	OTHER	WATER SOURCE	SANITATION TYPE	
<input type="checkbox"/> CONVENTIONAL DWELLING	<input type="checkbox"/> COMMERCIAL	<input type="checkbox"/> WELL/SPRING	<input type="checkbox"/> SEPTIC	
<input type="checkbox"/> MANUFACTURE/MOBILE	<input type="checkbox"/> INDUSTRIAL	<input checked="" type="checkbox"/> PUBLIC WATER	<input checked="" type="checkbox"/> PUBLIC SANITATION	
<input type="checkbox"/> ACCESSORY	<input type="checkbox"/> FARM/AG	<input type="checkbox"/> OTHER		
SET BACK AND SPECIAL SITING REQUIREMENTS				
<input checked="" type="checkbox"/> 50 FT RIPARIAN VEGETATION - ALL BUILDINGS SHALL MAINTAIN A 50 FT. MINIMUM SETBACK FROM ALL ESTUARINE WETLANDS, STREAMS, LAKES, OR RIVERS.				
<input type="checkbox"/> ALL BUILDINGS OR STRUCTURES WITH THE EXCEPTION OF FENCES SHALL BE SETBACK A MINIMUM OF 35 FT. FROM ANY ROAD RIGHT-OF-WAY CENTERLINE OR A MINIMUM OF 5 FT. FROM ANY ROAD RIGHT-OF-WAY LINE, WHICHEVER IS THE GREATER DISTANCE.				
<input checked="" type="checkbox"/> 20 FT FRONT (road from which you access your property)		<input checked="" type="checkbox"/> 5 FT SIDE	<input checked="" type="checkbox"/> 5 FT REAR	
<input type="checkbox"/> CORNER - IF PROPERTY IS A CORNER LOT THEN YOU MUST MAINTAIN 15 FT FROM THE SECONDARY ROAD (LANE, DRIVE, STREET OR ALLEY)				
<input type="checkbox"/> 30 FT - CONSTRUCT AND MAINTAIN A PRIMARY FIREBREAK OF AT LEAST 30FT. RADIUS AROUND ALL PROPOSED STRUCTURES (INCLUDING DECKS).				
<input type="checkbox"/> 100 FT - A SECONDARY FIREBREAK OF AT LEAST 100 FT. AROUND THE PRIMARY FIREBREAK.				
<input type="checkbox"/> 35 FT HEIGHT RESTRICTION (AIRPORT AND UGB)			<input type="checkbox"/> SLOPE	
<input checked="" type="checkbox"/> OTHER /COMMENT				
Please see comments (attached) from DSL, ODA, and local Indian tribes. This is an update to ZCL-17-417. The proposed structures are not located within the floodplain. The liquefaction has been taken off of the account as this parcel is not within the high or very high liquefaction special consideration and therefore does not require a geotechnical review pursuant to CCZLDO Section 4.11.125.7 Natural Hazards.				



DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OR SANITATION DISTRICTS	
<input type="checkbox"/> SITE EVALUATION ONLY	<input type="checkbox"/> INSTALL NEW /REPLACE /REPAIR SEPTIC
<input type="checkbox"/> CONNECT TO CHARLESTON SANITATION	<input type="checkbox"/> CONNECT TO BUNKER HILL SANITATION
<input type="checkbox"/> AS NEEDED FOR MEDICAL HARDSHIP *	<input type="checkbox"/> OTHER:

STATE BUILDING CODES AGENCY PERMITS TO ALLOW			
<input checked="" type="checkbox"/> SINGLE FAMILY DWELLING	or	<input type="checkbox"/> MULTI FAMILY DWELLING	<input type="checkbox"/> New <input type="checkbox"/> Repair <input type="checkbox"/> Alter
<input type="checkbox"/> MANUFACTURE DWELLING/ MOBILE (NOT MANUFACTURE STRUCTURE)			
<input type="checkbox"/> HARDSHIP - TEMPORARY - RV, MOBILE, MANUFACTURE, PARK MODEL, *			
<input type="checkbox"/> FARM/AG BUILDING	<input checked="" type="checkbox"/> ACCESSORY STRUCTURE	<input checked="" type="checkbox"/> OTHER AS DEFINED IN NOTES	

COOS COUNTY MAY PROVIDE CLEARANCE TO OBTAIN PERMITS FROM OTHER AGENCIES BUT THAT DOES NOT MEAN THAT IT IS A GUARANTEE THAT AGENCY WILL APPROVE YOUR PERMIT.

OTHER AGENCY REQUIREMENTS:	
ALL APPLICABLE FEDERAL, STATE, AND LOCAL PERMITS SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ACTIVITY.	
<input type="checkbox"/> WETLAND DELINEATION - DEPARTMENT OF STATE LANDS (SEE ATTACHED COMMENTS)	
<input type="checkbox"/> COOS COUNTY ENVIRONMENTAL HEALTH LICENSE/PERMIT	
<input type="checkbox"/> OREGON DEPARTMENT OF AVIATION FORM (FAA Form 7460-1) (SEE ATTACHED COMMENTS)	
<input type="checkbox"/> 1200 C PERMIT DEQ AND/OR STORM WATER PERMITS	
<input type="checkbox"/> STATE OF OREGON HISTORICAL PRESERVATION OFFICE	
<input checked="" type="checkbox"/> LOCAL TRIBES (SEE ATTACHED COMMENTS)	
<input type="checkbox"/> OREGON DEPARTMENT OF TRANSPORTATION (ODOT FOR ACCESS PERMITS/TRAFFIC IMPACT)	

ACKNOWLEDGEMENT STATEMENT: THE APPLICANT ALREADY AGREED TO THE CONDITIONS IN WHICH THIS COMPLIANCE LETTER AUTHORIZES BY SIGNING THE COMPLIANCE DETERMINATION. IF CONDITIONS ARE NOT FOLLOWED THEN THIS ZONING COMPLIANCE LETTER CAN BE REVOKED.

COOS COUNTY COMPLIANCE

The Coos County Planning Department finds that the proposed uses comply with applicable provisions of the Coos County Zoning and Land Development Ordinance. The information contained on this form reflects the status of the subject property and land use regulations that exist at the time of issue.

AUTHORIZED SIGNATURE: *Crystal Orr*
 Title: Planning Specialist Date: 8/2/18

<input type="checkbox"/> Scan	<input type="checkbox"/> Assessor's office	<input type="checkbox"/> Logged on Helion	<input type="checkbox"/> DEQ	<input type="checkbox"/> Building Codes
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WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2017-0535

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. AMY DIBBLE from county of Coos submitted a WLUN pertaining to local case file #: CD-17-176.

Activity location:

township: 25S	range: 13W	section: 19	quarter-quarter section: DC
tax lot(s): 500			
street address: 64776 Wygant Rd			
city: Coos Bay		county: Coos	
latitude: 43.381285		longitude: -124.285084	

Mapped wetland/waterway features:

- The national wetlands inventory shows a wetland/waterway on the property.
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- The property includes designated essential salmonid habitat.

Oregon Removal-Fill requirement (s):

- A state permit is required for any amount of fill, removal, and/or other ground alteration in essential salmonid habitat and within adjacent off-channel rearing or high-flow refugia habitat with a permanent or seasonal surface water connection to the stream.

Your activity:

Contacts:

- This is a preliminary jurisdictional determination and is advisory only.

Comments: Based on the available information, replacement of the home will not impact jurisdictional wetlands or waters provided that the replacement is not constructed seaward of the existing footprint. Best Management Practices for sediment and erosion control should be used during construction.

Crystal Orr

From: Stacy Scott [sscott@ctclusi.org]
Sent: Monday, October 30, 2017 2:22 PM
To: Amy Dibble
Cc: Planning Department
Subject: RE: CD-17-176 Kusler - Request for Comments

Dear Ms. Dibble,

RE: CD-17-176 Kusler - Request for Comments

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have no objections to the proposed work. Please be aware that the proposed work area is in proximity to known cultural resource sites and so may contain as yet unlocated cultural resources. We request that we be contacted immediately if any known or suspected cultural resources are encountered during the work.

Please also be aware that federal and state laws prohibit intentional excavation of known or suspected cultural resources without an archaeological permit and require that we be notified immediately if resources are discovered, uncovered, or disturbed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of any native Indian. ORS 358.920 prohibits excavation injury, destruction, or alteration of an archaeological site or object or removal of an archaeological object from public or private lands.

Please feel free to contact me if I may be of any further assistance.

Sincerely,
Stacy

Stacy Scott, MA, RPA
Tribal Historic Preservation Officer &
Cultural Resources Protection Specialist
Confederated Tribes of
Coos, Lower Umpqua & Siuslaw Indians
1245 Fulton Avenue
Coos Bay, Oregon 97420
541.888.7513 (office)
541.297.5543 (cell)
541.888.2853 (fax)
SScott@ctclusi.org

From: Amy Dibble [<mailto:adibble@co.coos.or.us>]
Sent: Tuesday, October 03, 2017 10:32 AM
To: Stacy Scott <sscott@ctclusi.org>
Cc: Planning Department <planning@co.coos.or.us>
Subject: CD-17-176 Kusler - Request for Comments

Stacy,



COQUILLE INDIAN TRIBE

3050 Tremont Ave. North Bend, OR 97459
Telephone: (541) 756-0904 ~ Fax: (541) 756-0847
www.coquilletribe.org

October 6, 2017

Coos County Planning Department
250 N Baxter
Coquille, OR 97429

Re: CD-17-176

Project location: 64776 Wygant Rd., Coos Bay, Oregon 97420

Thank you for the opportunity to comment on the proposal to rebuild a dwelling and accessory structure at the above referenced property. The Coquille Indian Tribe concurs with the anticipatory finding of no historic properties/cultural resources effected. **Extreme caution is recommended.** If any known or suspected cultural resources are encountered during the work, ground-disturbing activities should cease and the landowner or contractor should contact our office immediately.

Please be aware that state statutes and federal law governs how archaeological sites are to be managed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of a Native Indian. ORS 358.920 prohibits excavation, injury, destruction, or alteration of an archaeological site or object, or removal of an archaeological object from public or private lands. If archaeological materials are discovered, uncovered, or disturbed on the property, we will discuss the appropriate actions with all necessary parties.

Thank you again and feel free to contact me at (541) 808-5554 if you have any questions.

Best,

Todd Martin
Tribal Historic Preservation Specialist

CRT15858

From: CAINES Jeff
To: Amy Dibble
Subject: RE: CD-17-176 Kusler - Request for Comments
Date: Monday, November 06, 2017 3:59:06 PM

Amy:

ODA has reviewed the replacement dwelling proposal and have no comments. The replacement will not pose a hazard to air navigation.

Jeff

Jeff Caines, AICP
Oregon Department of Aviation
Aviation Planner / SCIP Coordinator
3040 25th St. SE | Salem, OR 97302
Office: 503.370.2529
Cell / Text: 503.507.6965
Email: Jeff.Caines@aviation.state.or.us

From: Amy Dibble [mailto:adibble@co.coos.or.us]
Sent: Tuesday, October 03, 2017 10:34 AM
To: CAINES Jeff
Cc: Planning Department
Subject: CD-17-176 Kusler - Request for Comments

Jeff,

Attached please find a request for comments for CD-17-176 submitted by Scott Kusler. He is proposing to replace a dwelling that was destroyed by fire and replacing the existing accessory. He plans to increase the footprint of both. I have attached the application that includes a plot plan for your convenience.

Thank you,

Amy Dibble

Amy Dibble, Planner II
Coos County Planning Department
225 N. Adams (physical address)
250 N. Baxter (mailing address)
Coquille, OR 97423
541-396-7770

EXHIBIT A

Beginning at a point in the E. J. Foley Donation Land Claim No. 40 in Section 19, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, from which the iron pipe at the Southeast corner of said Section 19 bears South $81^{\circ} 31.7'$ East 1719.66 feet; thence South $20^{\circ} 25'$ West 50.0 feet; thence North $69^{\circ} 35'$ West 154.70 feet; thence North $22^{\circ} 18'$ East 50.03 feet; thence South $69^{\circ} 35'$ East 153.05 feet to the point of beginning, and being a portion of said E. J. Foley Donation Land Claim No. 40 in said Section 19.

Unofficial
Copy

WYgant ROAD

Scott Kusler
64776 Wygant Rd
255 13W 9
DC 00500

